

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEFFREY M. GOLDMAN,

Plaintiff,

-v-

CASE NO.: 1:20-cv-6727 (AJN)

SOL GOLDMAN INVESTMENTS LLC, SOLIL
MANAGEMENT, LLC, and JANE H. GOLDMAN,

Defendants.
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DECLARATION OF D. MAIMON KIRSCHENBAUM IN SUPPORT OF PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGMENT

D. Maimon Kirschenbaum declares under penalty of perjury pursuant to 28 U.S.C. § 1745
that:

1. I am an attorney admitted to practice in the United States District Court for the Southern District of New York.
2. I am attorney and the managing partner of Joseph & Kirschenbaum LLP, attorneys for Plaintiff Jefferey Goldman. As such I am familiar with proceedings. I make this Declaration in support of Plaintiff's Motion for Partial Summary Judgment pursuant to Federal Rule of Civil Procedure 56 and to put the pertinent documentary evidence before this Court. I base this declaration on my personal knowledge and a review of the documents referenced herein.
3. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the transcript of the August 17, 2021 deposition of Plaintiff Jefferey Goldman in the above-captioned case.
4. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from

the transcript of the August 18, 2021 deposition of Defendant Jane H. Goldman in the above-captioned case.

5. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the transcript of the October 5, 2021 deposition of Judith Brener, designated as the Federal Rule of Civil Procedure 30(b)(6) witness for Defendant Sol Goldman Investments LLC and Defendant Sol Goldman Investments in the above-captioned case.

6. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the transcript of the October 14, 2021 deposition of Dr Doron Katz.

7. Attached hereto as **Exhibit E** is a true and correct copy of the June 17, 2020 email between Plaintiff, Judith Brener, and Concetta Ferrari, produced by Defendants in this litigation with a bates number of Def-0005097.

8. Attached hereto as **Exhibit F** is a true and correct copy of the June 3, 2020 letter from Dr. Doron Katz, produced by Plaintiff in this litigation with a bates number of P0001.

9. Attached hereto as **Exhibit G** is a true and correct copy of a March 19, 2020 email from Judith Brener to Defendants' employees, produced by Defendants in this litigation with a bates number of Def-0003102.

10. Attached hereto as **Exhibit H** is a true and correct copy of a June 18, 2020 email from Concetta Ferrari to Defendants' employees, produced by Defendants in this litigation with a bates number range of Def-0015664-0015665.

11. Attached hereto as **Exhibit I** is a true and correct copy of New York State Department of Labor Forms and Documents related to Plaintiff's Unemployment Insurance claims, produced by Defendants in this litigation with a bates number range of Def-131858-131872.

12. Attached hereto as **Exhibit J** is a true and correct copy of excerpts from

the transcript of the November 19, 2021 deposition of Judith Brener, in the above-captioned case.

13. Attached hereto as **Exhibit K** is a true and correct copy of a June 18, 2020 memorandum from Jane Goldman to Vivian Orellana, produced by Defendants in this litigation with a bates number of Def-0008561.

14. Attached hereto as **Exhibit L** is a true and correct copy of a June 24, 2020 memorandum from Vivian Orellana regarding Plaintiff's medical benefits, produced by Defendants in this litigation with a bates number range of Def-0008566-8568.

15. Attached hereto as **Exhibit M** are true and correct copies of memoranda from Plaintiff to Vivian Orellana and Judith Brener, produced by Defendants in this litigation with bates numbers of Def-0007439, Def-0017083, Def-0017114, Def-0017159, Def-0017207, and Def-0026161.

16. Attached hereto as **Exhibit N** is a true and correct copy of a redacted agreement between Defendant SGI and a tenant, produced by Plaintiff in this litigation with a bates number of P-0023. I have redacted the substantive terms of the agreement.

17. Attached hereto as **Exhibit O** is a true and correct copy of the June 17, 2020 email between Judith Brener and Plaintiff, produced by Defendants in this litigation with a bates number of Def-0005077.

18. Attached hereto as **Exhibit P** is a true and correct copy of a May 14, 2020 email between Plaintiff and various employees of Defendants, produced by Defendants in this litigation with a bates number range of Def-0007406-Def-0007407. I have redacted the names of the entities and the account numbers to protect Defendants' potentially confidential information.

19. Attached hereto as **Exhibit Q** is a true and correct copy of a Feb. 15, 2019 email between David Hamil, Judith Brener, and Plaintiff produced by Defendants in this

litigation with a bates number of Def-0000529. I have redacted names and other sensitive information to protect potentially confidential information.

20. Attached hereto as **Exhibit R** are true and correct copies of emails between Plaintiff and Defendant Goldman and various oof Defendants' employees, produced by Defendants in this litigation with a bate number range of Def-00001485, Def-0023978, and Def-0024832-Def-0024833. I have redacted names and other sensitive information to protect potentially confidential information.

21. Attached hereto as **Exhibit S** is a true and correct copy of excerpts from the transcript of the February 7, 2022 deposition of Maria Fleytas in the above-captioned case.

Dated: New York, New York
February 23, 2022

JOSEPH & KIRSCHENBAUM LLP

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